

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

VS.

CASE NO. 06-CR-40026-001  
CASE NO. 06-M-4006-001

SERGIO MARTINEZ-HERNANDEZ

DEFENDANT

**ORDER**

Before the Court is the United States of America's Motion to Dismiss Petition and Order for Writ of Habeas Corpus Ad Prosequendum and to Vacate and Set Aside Writ of Habeas Corpus Prosequendum. (Doc. 4). The United States of America has informed the Court that the Defendant, Sergio Martinez-Hernandez, is in the custody of the State of Florida, awaiting trial on separate charges. Upon consideration, the Court is satisfied that good cause for the motion has been shown. Accordingly, the United States of America's Motion to Dismiss Petition and Order for Writ of Habeas Corpus Ad Prosequendum and to Vacate and Set Aside Writ of Habeas Corpus Prosequendum should be and hereby is **GRANTED**. The United States of America's Petition and Order for Writ of Habeas Corpus Ad Prosequendum is hereby **VACATED**.

**IT IS SO ORDERED**, this 11th day of December, 2006.

/s/Harry F. Barnes  
Hon. Harry F. Barnes  
United States District Judge